REMARKS

Applicant respectfully requests reconsideration in view of the following remarks and amendments. Claims 1, 7, and 9 are amended. Accordingly, claims 1, 3-7, 9 and 11-14 are pending in the application.

I.   Claims Rejected Under 35 U.S.C. § 103

Claims 1, 3-7, 9, and 11-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0029242 filed by Seto (hereinafter "Seto") in view of U.S. Patent No. 5,892,509 issued to Jacobs et al. (hereinafter "Jacobs") in further view of U.S. Patent No. 6,522,418 issued to Yokomizo et al. (hereinafter "Yokomizo").

Claim 1, as amended, recites the following elements, "a second image editing unit to *conduct a background process at a prescribed timing to* edit the high resolution part of the image file stored in the storing unit with respect to the received image editing command from the client in accordance with the job inserted in the queue by the job supplying unit" (emphasis added). Support for the amendments may be found, for example, in paragraph [0097] of the Specification. In particular, paragraph [0097] of the Specification discloses the following:

> In other words, editing results for the low resolution part can be quickly provided to the client computer 4 while **the image editing process for the high resolution part, which may require a longer editing time, can be performed at a prescribed timing during an asynchronous process (background process) of the server computer 2,** by separately performing the image editing process for the low resolution part and the high resolution part in response to the command from the client computer 4. Accordingly, a stress-free operability can be provided for the user.

(emphasis added). The cited art fails to teach or suggest the above cited elements of amended claim 1 as discussed below.

On page 3 of the Office Action, the Examiner has conceded that Seto fails to teach or suggest the elements related to "a second image editing unit" as recited in claim 1. Therefore, Seto fails to teach or suggest the elements of "a second image editing unit to conduct a background process at a prescribed timing to edit the high resolution part of the image file," as recited in amended claim 1 as well.

Moreover, Jacobs fails to teach or suggest the above cited missing elements. Instead, Jacobs simply teaches that a workstation may perform image editing functions. See Jacobs, column 3, lines 41-45. However, Jacobs fails to disclose whether the image editing functions of the workstation are conducted as "a background process at a prescribed timing to edit the high resolution part of the image file stored in the storing unit," as recited in amended claim 1. Therefore, Jacobs fails to teach or suggest each element in amended claim 1.

In addition, Yokomizo fails to cure the above deficiencies of Seto and Jacobs. Yokomizo proposes a second editing step in which high resolution image information stored in a storage unit may be edited according to editorial information. See Yokomizo, column 2, lines 41-45. The editorial information is indicative of the contents of the "edition" performed in a first editing step *at a user's terminal*. See Yokomizo, column 2, lines 37-41. However, again, Yokomizo fails to teach or suggest elements related to "a second image editing unit to *conduct a background process at a prescribed timing to* edit the high resolution part of the image file stored in the storing unit with respect to the received image editing command from the client in accordance with the job inserted in the queue by the job supplying unit," (emphasis added) as recited in amended claim 1.

In particular, claim 1 recites the additional elements of "a first image editing unit to edit a low resolution part of an image file stored in the storing unit in synchronization with receiving *an image editing command from the client*" (emphasis added). In the context of claim 1, the second image editing unit is "to conduct a background process at a prescribed timing to edit the high resolution part . . . *with respect to the received image editing command from the client*" (emphasis added). Therefore, as recited in claim 1, the "received image editing command from the client" corresponds with the elements related to the "a first image editing unit to edit a low resolution part," and "a second image editing unit to conduct a background process at a prescribed timing to edit the high resolution part." However, Yokomizo teaches the low resolution image information is edited *at the client's terminal* and, as a result, fails to meet the inter-relationship between the "received image editing command from the client" with the first and second editing units that respectively edit the low and high resolution parts of the image. See Yokomizo, column 2, lines 35-37. In other words, because Yokomizo discloses that the low resolution image information is edited at the user's terminal, as a consequence, this severs the

timing relationship and interdependency "with respect to the received image editing command from the client" between the first and second image editing units recited in claim 1. Therefore, in view of at least the foregoing reasons, Yokomizo fails to teach or suggest each element in amended claim 1.

Thus, for at least the reasons set forth above, Seto in view of Jacobs in further view of Yokomizo fails to teach or suggest each element of amended claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

With respect to dependent claims 3-6, these claims depend on claim 1 and incorporate the limitations thereof. Therefore, for the reasons discussed above in connection with claim 1, Seto in view of Jacobs in further view of Yokomizo fails to teach or suggest each element of claims 3-6. Accordingly, reconsideration and withdrawal of the rejection of claims 3-6 are respectfully requested.

With respect to independent claims 7 and 9, these claims, as amended, recite analogous limitations to those in amended claim 1. Thus, for the previous reasons mentioned in connection with claim 1, Seto in view of Jacobs in further view of Yokomizo fails to teach or suggest each element of amended claims 7 and 9. Further, dependent claims 11-14 are patentable over the art of record because each of these claims depends on claim 9. Accordingly, reconsideration and withdrawal of the rejection of claims 7, 9, and 11-14 are respectfully requested.
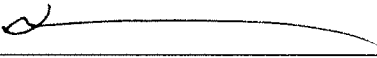
CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
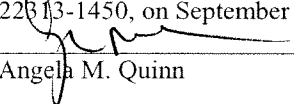
Dated: September 30, 2008

_____
Michael J. Mallie   Reg. No. 36,591

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(310) 207-3800

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on September 30, 2008.

_____
Angela M. Quinn   September 30, 2008